

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Before the court is a Motion for Stay of Motion for Summary Judgment (Docket No. 161) filed by Defendants on October 15, 2010. Defendants requested the stay of the action based upon a nationwide foreclosure moratorium initiated by Bank of America. The court held a telephonic status conference with the parties on November 9, 2010. At that conference, counsel for the defendants advised the court and the plaintiff that he was withdrawing the motion for a stay, and wished to proceed with the action.

Based upon defendants' notification to the court at that status conference that their request for a stay was withdrawn, the court **FINDS AS MOOT** defendants' Motion for Stay (Docket No. 161).

## IT IS SO ORDERED.

Dated this 22nd day of November, 2010.

/s/ *Charles S. Miller, Jr.*  
Charles S. Miller, Jr.  
United States Magistrate Judge